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09/944,278	08/30/2001	Albert Gouyet	NETS0074	1879

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GLENN PATENT GROUP  
3475 EDISON WAY, SUITE L  
MENLO PARK, CA 94025

EXAMINER
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WU, RUTAO

ART UNIT	PAPER NUMBER
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3628

NOTIFICATION DATE	DELIVERY MODE
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11/27/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

eptomatters@glenn-law.com

<b>Office Action Summary</b>	<b>Application No.</b> 09/944,278	<b>Applicant(s)</b> GOUYET ET AL.	
	<b>Examiner</b> ROB WU	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-34, 36-38, 40-52, 61 and 67 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-34, 36-38, 40-52, 61 and 67 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Status of claims***

1. In response filed July 14 2009, the Applicant amended claims 1, 3, 13, 14, 27 and 40. Claims 1-8, 10-34, 36-38, 40-52, 61, 67 are pending in the application.

### ***Response to Arguments***

2. Applicant's arguments, see page 16, filed July 14 2009, with respect to 35 U.S.C. §112 First Paragraph rejection of claims 1, 27 and 53 have been fully considered and are persuasive. The 35 U.S.C. §112 First Paragraph rejection of claims 1, 27 and 53 have been withdrawn.

3. Applicant's arguments, see page 16, filed July 14 2009, with respect to 35 U.S.C. §112 Second Paragraph rejection of claims 3 and 13 have been fully considered and are persuasive. The 35 U.S.C. §112 Second Paragraph rejection of claims 3 and 13 have been withdrawn.

4. Applicant's arguments filed July 14 2009 have been fully considered but they are not persuasive.

The Applicant asserts that Hals either expressly nor inherently describe a system for providing travel information to an end user "wherein ... [a] search result comprises any of travel information content and a link to travel information content, wherein said travel information content comprises static information and dynamic information, wherein said dynamic information comprises local events corresponding to said

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destination ... [and] wherein said search result provides both interest information and destination information if said context determination module determines that said phrase corresponds to both said interest and said destination.” The Examiner respectfully disagrees. Hals disclose “If the visitor conducts the search on Wednesday and uses ‘golf’ as a search term, the server 202 might provide the visitor with a different jump page of links to golf courses in the visitor’s local area that have available tee times for the following weekend.” [0039] From this disclosure it is clear that Hals teach a link to travel information content, comprising static information (golf courses in visitor’s local area) and dynamic information comprising local events (tee times for the following weekend) and wherein said search result provides both interest information and destination information (interest in golf and local golf courses) if said context determination module determines that said phrase corresponds to both said interest and said destination.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1 and 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 1 and 27 recite limitation of “determining from said phrase if the context of said phrase corresponds to an interest and if the context of said phrase corresponds to

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a destination” and providing “both interest information and destination information if said context determination module determines that said phrase corresponds to both said interest and said destination.” It is unclear to the Examiner how the system would function if only either interest or destination can be determined from the phrase since the claim limitation depends on both to be determined.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-3, 8, 10-12, 15-20, 22-29, 34, 36-38, 41-46, 48-52, 61, 67 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pub No. 2002/0078230 to Hals et al.

**Referring to claim 1:**

A system for providing travel information to an end user in an intelligent way using a search result, said system comprising:

a server configured to receive a request for travel information from the end user;

(Fig 1, Fig 3) [0013]

a context determination module, said context determination module configured to determine a context from said received request for travel information automatically, depending only on what said end user requests; [0024], [0025], [0039]

wherein said context determination module processes a user entered phrase using a search mechanism, wherein said context determination module processes said phrase to simultaneously determine from said phrase if the context of said phrase corresponds to an interest and if the context of said phrase corresponds to a destination; [0024], [0025], [0039] and

a searching module configured to search for a search result based on both said query and said context, wherein said search result comprises any of travel information content and a link to travel information content, wherein said travel information content comprises static information and dynamic information, wherein said dynamic information comprises local events corresponding to said destination; [0025], [0039]

wherein said server is further configured to return said search result to the end user; [0024], [0025]

wherein said search result provides both interest information and destination information if said context determination module determined that said phrase corresponds to both said interest and said destination; [0024], [0039]

**Referring to claim 2:**

The system of claim 1, further comprising a feed retrieval system and a database couple to said feed retrieval system, wherein said feed retrieval system organizes said content for efficient storage by said database for easy retrieval. (Fig 2), [0031]

**Referring to claim 3:**

The system of claim 2, said feed retrieval system further comprising:  
a rule-based engine for said obtaining said content from an internal partner and an external partner and storing said content into said database in a format used by a search engine. [0065], [0066]

**Referring to claim 8:**

The system of Claim 1, further comprising:  
lookup tables for determining matches to facilitate processing said request into said query. (Figs 4-6)

**Referring to claim 10:**

The system of Claim 1, said context determination module further comprising:  
a plurality of context determining categories; and  
means for determining at least one context determining category. (Figs 4-6),  
[0024], [0025], [0039]

**Referring to claim 11:**

The system of Claim 10, wherein said plurality of context determining categories comprises at least:

a destination; and  
an interest. [0024], [0025], [0039]

**Referring to claim 12:**

The system of Claim 1, said search result comprising:  
the following travel categories:

destination guides;  
canned keywords;  
local events;  
low air fares;  
hot deals; and  
lodging. (Fig 4-5)

**Referring to claim 15:**

The system of Claim 1, wherein said server is a web server and said travel information is presented in one web page. [0024], [0067]

**Referring to claim 16:**

The system of Claim 15, wherein said one web page comprises:  
a more link for facilitating linking to more detailed information as an option.  
[0024], [0067]

**Referring to claim 17:**

The system of Claim 16, wherein said more detailed information comprises information reflecting and associated with at least one context determining category.  
[0039]

**Referring to claim 18:**

The system of Claim 1, further comprising a local escapes feature, wherein said local escapes feature uses a home location to provide particular travel information.  
[0037], [0039]

**Referring to claim 19:**



The system of Claim 18, further comprising:

means for determining said home location when not provided by an end user.

[0037], [0038]

**Referring to claim 20:**

The system of Claim 18, wherein said home location is selected from a list of predetermined home locations. [0037]

**Referring to claim 22:**

The system of Claim 18, wherein said provided travel information comprises any of:

a fare watch;

weekend e-fares;

local events;

hot deals;

links to other cities; and

maps. [0039], [0040], [0069]

**Referring to claim 23:**

The system of Claim 18, further comprising:

means for filtering out travel information not relevant to said home location.

[0039]

**Referring to claim 24:**

The system of Claim 18, further comprising:

a multi-hierarchical schema for organizing geographical regions to facilitate determining relevant travel information, wherein content in said regions overlap. [0024]

**Referring to claim 25:**

The system of Claim 24, wherein geographical regions comprise urban regions. [0024]

**Referring to claim 26:**

The system of Claim 25, wherein said urban regions comprise content from other nearby and relevant cities associated with said home location. [0024]

**Referring to claim 27:**

A method for providing travel information to an end user in an intelligent way using a search result, said method comprising:

receiving a request for travel information from the end user; (Fig 1, Fig 3) [0013]

processing said phrase request into a query. (Fig 1, Fig 3) [0013]

automatically determining a phrase context from said received phrase request for travel information, [0024], [0025], [0039]

wherein said step of automatically determining determines said phrase context, depending only on what said end user requests; [0024], [0025], [0039]

wherein said step of automatically determining processes said query to simultaneously determine from said phrase request if said phrase context corresponds to an interest and if said phrase context corresponds to a destination; [0024], [0025], [0039] and

automatically searching a database according to both said query and said context for a search result, without any interaction with a human agent, wherein said search result comprises any of travel information content and a link to travel information content, wherein said travel information content comprises static information and dynamic information, wherein said dynamic information comprises local events corresponding to said destination; [0025], [0039] and

returning said search result to the end user; [0024], [0025]

wherein said search result provides both interest and destination information if said step of automatically determining determines that said phrase corresponds to both said interest and said destination; [0039]

**Referring to claim 28:**

The method of Claim 27 further comprising:

providing a feed retrieval system; (Fig 2), [0031]

providing a database couple to said feed retrieval system; (Fig 2), [0031]

wherein said feed system receives content from a plurality of internal and external partners; [0065], [0066] and

retrieval system organizes said content for efficient storage by said database for easy retrieval. (Fig 2), [0031]

**Referring to claim 29:**

The method of Claim 28, wherein said feed retrieval system further comprises:

a rule-based engine for said obtaining said content from said internal and external partners and storing said content into said database in a format used by a search engine. [0065], [0066]

**Referring to claim 34:**

The method of Claim 27, further comprising:  
providing lookup tables for determining matches to facilitate processing said request into said query. (Figs 4-6)

**Referring to claim 36:**

The method of Claim 27 further comprising:  
analyzing a plurality of context determining categories; and  
determining at least one context determining category. (Figs 4-6), [0024], [0025], [0039]

**Referring to claim 37:**

The method of Claim 36, wherein said plurality of context determining categories comprises at least:

a destination; and  
an interest. [0024], [0025], [0039]

**Referring to claim 38:**

The method of Claim 27, wherein said search result comprises the following travel categories:

destination guides;  
canned keywords;

local events;  
low air fares;  
hot deals; and  
lodging. (Fig 4-5)

**Referring to claim 41:**

The method of Claim 27 further comprising:  
providing said travel information to said end user in one web page. [0024], [0067]

**Referring to claim 42:**

The method of Claim 41, wherein said one web page comprises:  
a more link for facilitating linking to more detailed information as an option.

[0024], [0067]

**Referring to claim 43:**

The method of Claim 42, wherein said more detailed information comprises  
information reflecting and associated with one or more than one of said context  
determining category. [0039]

**Referring to claim 44:**

The method of Claim 27, further comprising:  
providing a local escapes feature, wherein said local escapes feature uses a  
home location to provide particular travel information. [0037], [0039]

**Referring to claim 45:**

The method of Claim 44, further comprising:  
determining said home location when not provided by an end user. [0037], [0038]

**Referring to claim 46:**

The method of Claim 44, wherein said home location is selected from a list of predetermined home locations. [0037]

**Referring to claim 48:**

The method of Claim 44, wherein said provided travel information comprises, a local escape category comprising any of:

a fare watch;

weekend e-fares;

local events;

hot deals;

links to other cities; and

maps. [0039], [0040], [0069]

**Referring to claim 49:**

The method of Claim 44, further comprising:

filtering out travel information not relevant to said home location. [0039], [0049]

**Referring to claim 50:**

The method of Claim 44, further comprising:

providing a multi-hierarchical schema for organizing geographical regions to facilitate determining relevant travel information, wherein content in said regions overlap. [0024]

**Referring to claim 51:**

The method of Claim 50, wherein geographical regions comprise urban regions.

[0024]

**Referring to claim 52:**

The method of Claim 51, wherein said urban regions comprise content from other nearby and relevant cities associated with said home location. [0024]

**Referring to claim 61:**

The system of Claim 1, further comprising:

a multi-hierarchical schema for organizing at least one geographical region to facilitate determining relevant travel information. [0024]

wherein said multi-hierarchical schema comprises levels of a state, a region within said state, and cities within said region. [0024]

**Referring to claim 67:**

The method of Claim 27, wherein if said context comprises a user interest, said step of searching a database searches an interest database for said user interest; and if said context comprises a destination, said step of searching a database searches a destination database for said destination. (Fig 1), [0076], [0073]

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 4, 5, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of U.S. Pat No. 6,457,009 to Bollay.

**Referring to claims 4 and 30:**

Hals et al disclose that the information stored in the databases may be supplied by a third party [0066] Hals et al does not expressly disclose custom coded forms in a predetermined format supplied to said partners for facilitating said obtaining travel information.

Bollay discloses in his invention that a generic HTML form is filled in, and then translation is done on the form from a uniform field name to an actual name used by a corresponding remote database. (col 2: lines 44-49)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include custom generated forms that can be supplied to partners to facilitate information gathering. since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, in the present case Hal's et al would still receive information from third parties using translated HTML forms as disclosed by Bollay. Thus one ordinary skill in the art would have recognized that the results of the combination were predictable.

Furthermore, one would be motivated to perform such modification to allow a standardized form being used by the partners to facilitate obtaining travel information.

**Referring to claims 5 and 31:**



Bollay does not explicitly state that the forms can also be coded in standard languages other than HTML, e.g. XML. The examiner takes official notice that forms coded in XML format are not a new feature. XML is another standardized language similar to HTML. Example can be found in U.S. Pat No. 6,697,967 to Robertson (col 2: lines 20-24)

12. Claims 6, 7, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of U.S. Pat No. 6,601,059 to Fries.

Hals et al discloses in his invention a travel scheduling system that allows users to search for relevant travel information based on numerous categories. [0024], [0025], [0039] Hals et al does not disclose a spell check service to provide correct spelling of an intended word, and the means of providing suggestions on alternate spelling or relevant phrases, or means for setting ambiguity among words or phrases having similar parts.

Fries discloses in his invention a method of providing a visual cue to the user to indicate that the search query includes a misspelled word. The method also includes a step of providing lists of possible spellings for the misspelled words and allowing the user to select one of the possible spellings from the list. The method then replaces the misspelled word with the selected spelling to produce modified test. (col 1: lines 54-63)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include the spell checker that will notify the misspelled word, and then suggest alternatives since the

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claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, in the present case, the search step as disclosed by Hals et al would function the same when correct spellings are provided by Fries' invention, thus one ordinary skill in the art would have recognized that the results of the combination were predictable. Furthermore, one would be motivated to perform such modification to assist the end user in providing correct spelling of an intended word so the search query with the word or phrase can be more effective.

13. Claim 13 is are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al in view of U.S. Pat No. 5,408,417 to Wilder.

**Referring to claim 13:**

Hals et al disclose searching and displaying local events and to-dos. [0039] Hals et al however, does not expressly disclose that local events comprises a concert.

Wilder discloses in his invention a automated ticket sales system that show upcoming events and attractions in the area, events such as concerts, sports, etc. (col 3: lines 10-13; col 6: lines 3-5)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Hals et al's invention to include concerts information within the local events since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, in the present case, the searching and displaying

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steps as disclosed by Hals et al would function the same with the local concert information as disclosed by Wilder, thus one ordinary skill in the art would have recognized that the results of the combination were predictable. Furthermore, one would be motivated to perform such modification to allow users reserve local functions that is of interest to the users.

14. Claims 14, 21, 40, 47 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hals et al.

**Referring to claim 14:**

Hals et al disclose displaying travel information related to the search terms.

[0024] Hals et al does not expressly disclose dynamic information comprises any of:

low air fares;

a hot deal; and

a fare watch.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to display air fare information or other fare information when displaying travel information related to the search terms to assist the user in determining travel information.

**Referring to claims 21 and 47:**

Hals et al does not expressly disclose

at least fifty predetermined cities or home airports.

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Hals et al disclose that information of the user's state of residence can be determined. [0037] Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to realize that there are at least fifty predetermined cities or home airports that can be determined from the user.

**Referring to claim 40:**

Hals et al disclose displaying travel information related to the search terms. [0024] Hals et al does not expressly disclose dynamic information comprises any of:

local events;  
low air fares;  
a hot deal; and  
a fare watch.

However, it would have been obvious to one having ordinary skill in the art at the time the invention was made for Hals et al to display air fare information or other fare information when displaying travel information related to the search terms to assist the user in determining travel information.

***Conclusion***

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ROB WU whose telephone number is (571)272-3136.

The examiner can normally be reached on Mon-Fri 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571)272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. W./  
Examiner, Art Unit 3628

/JOHN W HAYES/  
Supervisory Patent Examiner, Art Unit 3628